

Remarks

Claims 1-10, 14, 17-23, and 25-35 are pending in the application before entry of this amendment. By way of this amendment, claims 1, 6, 8, 9, 18-23, 26, 28, and 29 have been amended, claims 14, 25, 27, and 30-34 have been canceled, and claims 36-40 have been newly added.

Rejections under 35 USC 112, Second Paragraph

The application is under a number of rejections under 35 USC 112, second paragraph. Those rejections are addressed in turn below.

Use of the term "pharmaceutically acceptable derivative"

Claims 1-6, 8-9, and 17-23 are rejected as indefinite for use of the term "pharmaceutically acceptable derivative". In claims 1, 6, 8, 9, 18, 19, 20, 21, 22, 23, the term "pharmaceutically acceptable derivative" has been further specified as "pharmaceutically acceptable salt, solvate, ester or amide, or salt or solvate of such ester or amide". Support for the amendment is provided on page 2, lines 5-9 of the originally-filed specification.

Use of the term "prophylaxis"

Claims 25-34 are rejected as indefinite for use of the term "prophylaxis". Claims 25, 27, and 30 -34 have been canceled. Claims 26, 28, and 29 have been amended to remove the term.

Use of the term "inflammatory disorder"

Claims 14 and 25 are rejected as indefinite for use of the term "inflammatory disorder". Claims 14 and 25 have been canceled.

Use of the term "effective amount"

Claims 14, 25-34 are rejected as indefinite for use of the term "effective amount". Claims 14, 25, 27, and 30-34 have been canceled. With regard to claims 26, 28, and 29, Applicants submit that "effective amount" is a

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commonly accepted method of expressing an amount of compound needed to affect the recited method of treatment. The term is definite to one of ordinary skill in the art, given the guidance of the specification (page 11, II, 18-23).

Use of the terms "or other viral infections..."

Claim 27 is rejected as indefinite for use of the terms "or other viral infections...". Claims 27 has been canceled. New claims 36-40 have been added to specify particular conditions to be treated. Support for the added claims is provided on page 7, lines 7-24 of the originally-filed specification. No new matter has been added.

Use of the term "cognitive disorder"

Claims 31 and 32 are rejected as indefinite for use of terms related to "cognitive disorder". Claims 31 and 32 have been canceled.

Rejections under 35 USC 112, First Paragraph

Claims 9, and 18-23 stand rejected under 35 USC 112, first paragraph as lacking written description and enablement. Specifically, description and enablement of the step "converting... to a pharmaceutically acceptable derivative" is questioned.

In each of claims 9, and 18-23, the step of converting has been further defined as optionally converting to a pharmaceutically acceptable salt, solvate, ester or amide, or salt or solvate of such ester or amide thereof.

Claims 18-23 are rejected under 35 USC 112, first paragraph as lacking enablement for not having description of how to make the starting materials. Specifically, the Office questions how to make the starting materials IV, V, VI, and X. Referring to page 18, lines 18-20 of the originally-filed specification, compounds of formula IV, V, VI, and X may be prepared by methods analogous to those described for preparing corresponding compounds of formula I.

Claims 30-34 are rejected under 35 USC 112, first paragraph as lacking enablement. Specifically, enablement is questioned for the method of

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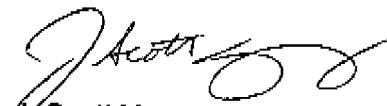
treating a number of the conditions recited in the claims. Claims 30-34 have been canceled. Claims 36-40, which recite methods of treating specific conditions, have been added. Support for the added claims is provided on page 7, lines 7-24 of the originally-filed specification. No new matter has been added.

Conclusion

In view of the amendments and remarks made above, Applicants submit that the pending rejections have been addressed and overcome.

Applicants respectfully submit that the instant application is in condition for allowance, which action is respectfully requested. The Examiner is invited to contact the undersigned at (919) 483-8160, to discuss this case, if desired.

Respectfully submitted,



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Date: August 17, 2006
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